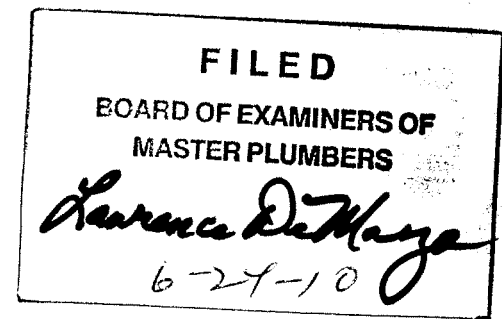


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF MASTER
PLUMBERS

MONITORING

IN THE MATTER OF THE
APPLICATION OF

MICHAEL D. EBER
Licensed Master Plumber #11654

TO BE CERTIFIED AS A MEDICAL GAS
PIPING INSTALLER IN THE STATE
OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers ("the Board") upon receipt of an application for certification as a medical gas piping installer from Michael D. Eber ("respondent"). Respondent is a licensed master plumber. Respondent indicated on his application for certification that he was convicted of resisting arrest in 2005. He was sentenced to five (5) years probation. A condition of probation requires respondent to report to probation every two weeks for random drug and alcohol testing.

Respondent appeared at an investigative inquiry into the matter held by the Board. He acknowledged his arrest and conviction. He also admitted that during the term of his probation, he tested positive on one occasion for controlled drugs. Subsequently, he voluntarily enrolled in a

rehabilitation program for twenty-eight (28) days. His probation was not extended as a result of the positive test. He now claims to be clean and sober for the past two (2) years. Respondent attends Alcoholics Anonymous once every week. Respondent maintained that he has never been intoxicated while employed on a medical gas or plumbing job.

Respondent also provided testimony regarding his arrest and conviction. Respondent admitted he was intoxicated and had been involved in a domestic dispute. When the police arrived at his home, he resisted their attempt to arrest him.

During the inquiry, respondent produced a copy of a letter from his current probation officer. The letter stated that respondent has been compliant with his court ordered probationary requirements. Respondent also produced a letter from his current employer attesting to respondent's medical gas piping installation experience, as well as respondent's good behavior throughout his eighteen years of employment with the company.

Having considered all of the available information, including the testimony of respondent during the investigative inquiry, the Board has determined that respondent may be certified subject to the conditions outlined in this order. Respondent appears to be doing well in recovery at this time. However, the Board is keenly aware of respondent's history and therefore any deviation from the terms of this order will result in immediate suspension of respondent's certification, as well as his master plumber's license. The Board finds that such a provision, coupled with respondent's continued involvement with Alcoholics Anonymous, is adequate to protect the health, safety and welfare of the public and that good cause exists for entry of this order.

IT IS THEREFORE ON THIS 24 DAY OF JUNE 2010,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall be granted certification as a medical gas piping installer subject to the restrictions in this order.

2. Respondent shall abstain from any and all mood altering or intoxicating substances, including, but not limited to alcohol, as well as any controlled dangerous substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause in his treatment. In addition, respondent shall advise any and all treating physicians and/or dentists of his history of substance abuse. Respondent shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided no later than seven (7) days subsequent to the prescription and shall be sent to Rosemarie Baccile, Executive Assistant, New Jersey State Board of Examiners of Master Plumbers, 124 Halsey Street, 6th Floor, Newark, NJ 07101.

3. Respondent shall continue in treatment with Alcoholics Anonymous. Respondent shall provide proof of attendance at Alcoholics Anonymous (i.e. copies of sign in sheets or a certification from respondent's sponsor confirming such attendance), as well as reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists, psychiatrists) who are participating in respondent's care and/or treatment. This information shall be provided directly to the Board on a quarterly basis. For purposes of this order, the first submitted quarterly proofs of attendance shall be due simultaneous with the signing of this order for Alcoholics Anonymous and mental health treatment for the months of February, March and April 2010. The next quarterly proofs shall be due on July 31, 2010 for the months of May, June and July 2010, and then quarterly thereafter. The quarterly proofs shall be sent to the address outlined in paragraph #2. If respondent discontinues participation with Alcoholics Anonymous, without first obtaining approval of the Board, he shall be deemed in violation of this order.

4. Respondent shall continue to comply with his criminal probationary

requirements. Respondent shall provide proof of his compliance with probation, (i.e. letters or reports from his probation officer indicating he is complying with all probationary requirements), as well as all urine screen results obtained through probation. This information shall be provided directly to the Board on a quarterly basis. For purposes of this order, the first submitted quarterly proofs of compliance, and of the urine screen results, shall be due simultaneous with the signing of this order for the months of February, March and April 2010. The next quarterly proofs shall be due on July 31, 2010 for the months of May, June and July 2010, and then quarterly thereafter. The quarterly proofs shall be sent to the address detailed in paragraph #2.

5. Respondent hereby consents to the entry of an order of automatic suspension of his certification, as well as his plumbing license, without notice, upon the Board's receipt of information which the Board in its sole discretion deems reliable demonstrating that respondent has had a relapse or recurrence of drug or alcohol abuse, has not complied with his probation, or is not otherwise capable of carrying out the functions of a certified medical gas piping installer, or licensed master plumber, consistent with the public health, safety, or welfare or that respondent has failed to comply with any of the conditions set forth in this Consent Order.

6. Respondent shall have the right to apply for removal of the automatic suspension on five (5) days notice but in such event shall be limited to a showing that the evidence of a relapse or recurrence of drug or alcohol abuse or other information submitted was false.

7. Respondent may apply for a modification or the termination of the requirements contained in this order no sooner than one (1) year from the entry date of this order and no sooner than successful termination from his criminal probation.

BOARD OF EXAMINERS OF MASTER PLUMBERS

By: Peter I Voros
Peter Voros
Board Chairman

I have read and understand the
within Consent Order and agree
to be bound by its terms. Consent
is hereby given to the Board to
enter this Order.

Michael Eber
Michael Eber

5-20-10
Date

NOTE

I will Be sending you copies of
PROBATION AND A.A. INFO you need
from me

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NOTE WAS NOT DRUGS
IT WAS ALCOHOL

Mr. Mike Eber
5-20-10